

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
February 9, 2006

_____ ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control (“EQC”).
- II. **SUBJECT:** Administrative and Consent Orders issued during the period December 1 – December 31, 2005.
- III. **FACTS:** For the period December 1, 2005 through December 31, 2005 EQC issued twenty-three (23) Consent Orders with total assessed civil penalties in the amount of \$135,472.56. One (1) Administrative Order was entered into during the reporting period with a total assessed civil penalty in the amount of \$1,000.00.

Unless otherwise specified, “Previous Orders” as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.

<u>Bureau</u>	<u>Administrative Orders</u>	<u>Assessed Penalties</u>	<u>Consent Orders</u>	<u>Assessed Penalties</u>
Land & Waste Management				
Hazardous Waste	0	\$ 0	1	\$ 18,000.00
Solid Waste	0	0	1	0
UST Program	1	1,000.00	0	0
SUBTOTAL	1	1,000.00	2	\$ 18,000.00
Water*				
Drinking Water	0	\$ 0	4	\$ 7,600.00
Water Pollution	0	\$ 0	11	79,872.56
SUBTOTAL	0	\$ 0	15	\$ 87,472.56
Air Quality				
SUBTOTAL	0	\$ 0	6	\$ 30,000.00
TOTAL	1	\$ 1,000.00	23	\$ 135,472.56

***During the reporting period, Drinking Water Enforcement and Water Pollution Enforcement issued one (1) Joint Consent Order. Water Pollution Enforcement was credited with the Joint Order.**

ANALYSIS: During the reporting period, the Underground Storage Tank Program issued an Administrative Order against Owen Watts (Respondent) for failure to continuously operate corrosion protection equipment; failure to have an adequate release detection method; and failure to demonstrate financial responsibility. The Order was not appealed, but the

Respondent brought the tanks into compliance with the Regulations after the Administrative Order was sent. A reduced civil penalty in the amount of one thousand dollars (\$1,000.00) was paid. The Order has now been closed.

Drinking Water Enforcement and Water Pollution Enforcement entered into a joint Consent Order with the City of Orangeburg (Respondent). The Respondent is responsible for the proper operation of a drinking water treatment plant. The Respondent has violated the Pollution Control Act, Water Classifications and Standards and the State Primary Drinking Water Regulations. Approximately 8,800 gallons of 50% sodium hydroxide was discharged into the environment in a manner other than in compliance with the permit. The Respondent failed to keep the waters of the State free from toxic substances, which interfered with the classified uses and the existing uses of the water body and proved to be harmful to aquatic life, causing a fish kill. The Respondent has been assessed a civil penalty in the amount of twenty thousand four hundred seventy-two dollars and fifty-six cents (\$20,472.56). Five thousand six hundred dollars (\$5,600.00) was assessed for violation of the Pollution Control Act; two thousand eight hundred dollars (\$2,800.00) was assessed for violations of the State Safe Drinking Water Act; and twelve thousand seventy-two dollars and fifty-six cents (\$12,072.56) was assessed as restitution to the State for lost resources and the investigative cost associated with the fish kill on the North Edisto River. All requirements of this Order have been met and the Order was closed on December 6, 2005.

Air Quality Enforcement entered into a Consent Order with South Carolina State University (Respondent) for violation of its Permit and the SC Pollution Control Act. The Respondent failed to maintain monthly records of natural gas and fuel oil consumption for a period of at least 5 years and failed to submit quarterly reports of the required monthly monitoring information. The Department has provided compliance assistance to the facility since 2002 and has determined that a diligent effort had not been made to correct the violations. A civil penalty in the amount of three thousand five hundred dollars (\$3,500.00) was assessed.

Of the twenty-three (23) Consent Orders issued by EQC enforcement programs during the reporting period, twenty-two (22) have either complied with the Order requirements or are currently in compliance with schedules required in those Orders.

Submitted by:

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Environmental Quality Control